

REMARKS

Reconsideration of the rejection of claims 1, 3-10 and 15-19 under 35 USC §102(e) as unpatentable over Esposito is respectfully requested.

The claims have been amended above to further define the disclosed invention. The sole rejection is based on anticipation by the Esposito reference, and it is submitted that this reference does not show each feature recited in the amended claim and, further does not render obvious any of the claims when considered with the other references of record.

Claim 1 now recites a casing having a first part that receives the barrel portion of a syringe and includes a connector that detachably receives a tip of the syringe. It appears that the examiner reads the claim's recitation of a first part on fitting member 50 of Esposito, but it is submitted that this is not proper because fitting member 50 only engages the tip of the syringe. This construction of the claim is particularly inappropriate given the amendments to the claims, which now require the first part to receive the barrel portion of the syringe and to include a connector that engages the tip of the syringe. The fitting member 50 of Esposito merely engages the tip of the syringe and not the barrel, and no element in Esposito that receives the barrel is separate from an element that receives the plunger.

Claim 1 has been further amended to recite that the second part allows a user to engage and manipulate the plunger. It is submitted that Esposito neither shows nor suggests such structure. Esposito expressly suggests only introduction of fluid into the syringe by connecting the fitting member 50 to a second syringe for injecting the fluids into the first syringe. Such does not involve a user engaging and manipulating the plunger as set forth in claim 1. Furthermore, it is submitted that this teaching, coupled with the express teaching that the sterile syringe has no

needle, effectively teaches away from configuring the sterile container to allow a user to manipulate the plunger.

The office action further fails to address the specific features set forth in the dependent claims. It is submitted that Esposito does not anticipate these features and that there is no suggestion whatsoever in the prior art of record to combine these features with those noted above to obtain the claimed inventions.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested. A check in the amount of \$910.00 is attached (\$790.00 for the RCE fee and \$120.00 for one month extension of time fee), however, please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,
CLARK & BRODY

A handwritten signature in black ink, appearing to read "Conrad Clark", written in a cursive style.

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